

FILED
APR 29 2008
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CW

THE PEOPLE OF THE
STATE OF CALIFORNIA

CV

08

2225

(PR)

Plaintiff,

CASE NO. E039133

vs.

**PRISONER'S
APPLICATION TO PROCEED
IN FORMA PAUPERIS**

VICENTE ARRAIGA ALVAREZ

Defendant.

I, VICENTE A. ALVAREZ, declare, under penalty of perjury that I am the plaintiff in

the above entitled case and that the information I offer throughout this application is true and correct.

I offer this application in support of my request to proceed without being required to prepay the full amount of fees, costs or give security. I state that because of my poverty I am unable to pay the costs of this action or give security, and that I believe that I am entitled to relief.

In support of this application, I provide the following information:

1. Are you presently employed? Yes ___ No X

If your answer is "yes," state both your gross and net salary or wages per month, and give the name and address of your employer:

Gross: _____ Net: _____

Employer: _____

If the answer is "no," state the date of last employment and the amount of the gross and net salary

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. E039133

1 and wages per month which you received. (If you are imprisoned, specify the last place of
2 employment prior to imprisonment.)

3 REDLANDS, CA \$500.00 p/WEEK

4 CONSTRUCTION JOB 2002-2004

5
6 2. Have you received, within the past twelve (12) months, any money from any of the following
7 sources:

8 a. Business, Profession or Yes ___ No X
9 self employment

10 b. Income from stocks, bonds, Yes ___ No X
11 or royalties?

12 c. Rent payments? Yes ___ No X

13 d. Pensions, annuities, or Yes ___ No X
14 life insurance payments?

15 e. Federal or State welfare payments, Yes ___ No X
16 Social Security or other govern-
17 ment source?

18 If the answer is "yes" to any of the above, describe each source of money and state the amount
19 received from each.

20 _____

21 _____

22 3. Are you married? Yes ___ No X

23 Spouse's Full Name: _____

24 Spouse's Place of Employment: _____

25 Spouse's Monthly Salary, Wages or Income:

26 Gross \$ 0.00 Net \$ 0.00

27 4. a. List amount you contribute to your spouse's support : \$ 0.00

28 b. List the persons other than your spouse who are dependent upon you for support
PRIS. APPLIC. TO PROC. IN FORMA

and indicate how much you contribute toward their support. (NOTE: For minor children, list only their initials and ages. DO NOT INCLUDE THEIR NAMES.).

5. Do you own or are you buying a home? Yes ___ No X

Estimated Market Value: \$ _____ Amount of Mortgage: \$ _____

6. Do you own an automobile? Yes ___ No X

Make _____ Year _____ Model _____

Is it financed? Yes ___ No X If so, Total due: \$ _____

Monthly Payment: \$ _____

7. Do you have a bank account? Yes ___ No X (Do not include account numbers.)

Name(s) and address(es) of bank: _____

Present balance(s): \$ _____

Do you own any cash? Yes ___ No X Amount: \$ _____

Do you have any other assets? (If "yes," provide a description of each asset and its estimated market value.) Yes ___ No X

8. What are your monthly expenses?

Rent: \$ 500.00 Utilities: 150.00

Food: \$ 200.00 Clothing: 150.00

Charge Accounts:

<u>Name of Account</u>	<u>Monthly Payment</u>	<u>Total Owed on This Acct.</u>
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

9. Do you have any other debts? (List current obligations, indicating amounts and to whom they are payable. Do not include account numbers.)

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10. Does the complaint which you are seeking to file raise claims that have been presented in other lawsuits? Yes ___ No X

Please list the case name(s) and number(s) of the prior lawsuit(s), and the name of the court in which they were filed.

N/A

I consent to prison officials withdrawing from my trust account and paying to the court the initial partial filing fee and all installment payments required by the court.

I declare under the penalty of perjury that the foregoing is true and correct and understand that a false statement herein may result in the dismissal of my claims.

DATE

Vicente A. Alvarez
SIGNATURE OF APPLICANT

PRIS. APPLIC. TO PROC. IN FORMA

PAUPERIS, Case No. E039133

Case Number: E039133

CERTIFICATE OF FUNDS

IN

PRISONER'S ACCOUNT

I certify that attached hereto is a true and correct copy of the prisoner's trust account statement showing transactions of VICENTE A. ALVAREZ for the last six months at

[prisoner name]

KERN VALLEY STATE PRISON where (s)he is confined.

[name of institution]

I further certify that the average deposits each month to this prisoner's account for the most recent 6-month period were \$ 0.00 and the average balance in the prisoner's account each month for the most recent 6-month period was \$ 0.00.

Dated: _____

[Authorized officer of the institution]

VICENTE ARRAIGA ALVAREZ

Petitioner

THE PEOPLE OF THE STATE
OF CALIFORNIA

Respondent(s)

**DECLARATION IN SUPPORT
OF REQUEST
TO PROCEED
IN FORMA PAUPERIS**

I, VICENTE ARRAIGA ALVAREZ, declare that I am the petitioner in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief.

1. Are you presently employed? ☐ Yes ☒ No

a. If the answer is yes, state the amount of your salary or wages per month, and give the name and address of your employer. _____

b. If the answer is no, state the date of last employment and the amount of the salary and wages per month which you received. 6/04 400\$ A WEEK

2. Have you received, within the past twelve months, any money from any of the following sources?

a. Business, profession or form of self-employment? ☐ Yes ☒ No

b. Rent payments, interest or dividends? ☐ Yes ☒ No

c. Pensions, annuities or life insurance payments? ☐ Yes ☒ No

d. Gifts or inheritances? ☐ Yes ☒ No

e. Any other sources? ☐ Yes ☒ No

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months: _____

3. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts)

☐ Yes ☒ No

If the answer is yes, state the total value of the items owned: _____

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property? (Excluding ordinary household furnishings and clothing) ☐ Yes ☒ No

If the answer is yes, describe the property and state its approximate value: _____

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: NO ONE

I, declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on _____
Date

Vicente Alvarez
Signature of Petitioner

CERTIFICATE

I hereby certify that the Petitioner herein has the sum of \$ 2 on account to his credit at the KERN VALLEY STATE PRISON institution where he is confined. I further certify that Petitioner likewise has the following securities to his credit according to the records of said institution: N/A

4/14/08
Date

[Signature]
Authorized Officer of Institution/Title of Officer

REPORT ID: TS3030 .701

REPORT DATE: 04/14/08

PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
 KERN VALLEY STATE PRISON
 INMATE TRUST ACCOUNTING SYSTEM
 INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 01, 2007 THRU APR. 14, 2008

ACCOUNT NUMBER : V99688 BED/CELL NUMBER: FBB800000000113L
 ACCOUNT NAME : ALVAREZ, VICENTE ARRAIGA ACCOUNT TYPE: I
 PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT *
 * IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED. *

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00

CURRENT
AVAILABLE
BALANCE

0.00

THE WITHIN INSTRUMENT IS A
 CORRECT COPY OF THE TRUST
 ACCOUNT MAINTAINED BY THIS OFFICE.
 ATTEST:

CALIFORNIA DEPARTMENT OF
 CORRECTIONS AND REHABILITATION

BY W. S. [Signature]
 TRUST OFFICE



HOP
 11-27-07

REPORT ID: T53030 .701

REPORT DATE: 04/14/08
PAGE NO: 1

CALIFORNIA DEPARTMENT OF CORRECTIONS
HIGH DESERT STATE PRISON
INMATE TRUST ACCOUNTING SYSTEM
INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: OCT. 01, 2007 THRU APR. 14, 2008

ACCOUNT NUMBER : V99688
ACCOUNT NAME : ALVAREZ, VICENTE ARAUGA
PRIVILEGE GROUP:
TRUST ACCOUNT ACTIVITY
HED/CELL NUMBER:
ACCOUNT TYPE: T

<< NO ACCOUNT ACTIVITY FOR THIS PERIOD >>

TRUST ACCOUNT SUMMARY

BEGINNING BALANCE	TOTAL DEPOSITS	TOTAL WITHDRAWALS	CURRENT BALANCE	HOLDS BALANCE	TRANSACTIONS TO BE POSTED
0.00	0.00	0.00	0.00	0.00	0.00

CURRENT AVAILABLE BALANCE

0.00



THE WRITTEN INSTRUMENT IS A CORRECT COPY OF THE TRUST ACCOUNT MAINTAINED BY THIS OFFICE.
ATTEST: 4-14-08
BY: *[Signature]*
CALIFORNIA DEPARTMENT OF CORRECTIONS
TRUST OFFICE

UNITED STATES DISTRICT COURT

DISTRICT OF CALIFORNIA

Plaintiff's name:

THE PEOPLE OF THE
STATE OF CALIFORNIA

vs.

Case Number: E039133

Defendant's name:

VICENTE ARRAIGA ALVAREZ /

PROOF OF SERVICE

I, the undersigned, hereby certify that I am over the age of eighteen years and _____ a party
to the above-entitled action.

On APRIL - 16, 2008, I served a copy of FEDERAL HABEAS

CORPUS PETITION & IN FORMA PAUPERIS, by

placing said copy in a postage paid envelope addressed to the person hereinafter listed, by

depositing said envelope in the United States Mail:

(LIST ALL DEFENDANTS SERVED IN THIS ACTION)

VICENTE ARRAIGA ALVAREZ

I declare under penalty of perjury that the foregoing is true and correct.

Vicente A Alvarez
(Signed)

Attachment 7